

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

STEPHEN PURSLEY, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. CIV-16-14-R
)	
ED LAKE, in his official capacity)	
as Director of the Oklahoma)	
Department of Human Services,)	
)	
Defendant.)	

**JOINT MOTION TO EXTEND DISCOVERY COMPLETION AND
DISPOSITIVE MOTION DEADLINES AND BRIEF IN SUPPORT**

Come now the Plaintiffs and the Defendants through their respective attorneys and jointly move the Court pursuant to LCvR 7.1(h) to extend the current discovery completion and dispositive motion deadlines in this case for a period of thirty (30) days for the reasons set forth below.

BRIEF IN SUPPORT OF MOTION

Plaintiffs Stephen and Krista Pursley and the Second Amendment Foundation (“SAF”) brought this action against Defendant Ed Lake in his official capacity as Director of the Oklahoma Department of Human Services (“OKDHS”) seeking equitable, declaratory and injunctive relief challenging the State of Oklahoma’s prohibition on otherwise qualified Oklahomans who are or wish to be foster or adoptive parents. See Doc. #1. The Plaintiffs assert OKDHS agency policy prohibits current and prospective foster and adoptive parents in Oklahoma from the possession of firearms for the purpose of self-defense and thereby

violates the Plaintiffs' rights under the Second and Fourteenth Amendments to the United States Constitution as well as their rights under the Oklahoma Constitution and state law. Id. The Defendant denies OKDHS policy violates Plaintiffs' rights under either federal or state law in connection with the events alleged in this case and has asserted several affirmative defenses to the Plaintiffs' claims in his Answer to the Plaintiffs' Complaint. See Doc. #10. On May 4, 2016, this Court entered its Scheduling Order (Doc. #13) in this case and the parties now jointly seek to extend the discovery completion and dispositive motion deadlines set in that order for a period of thirty (30) days. In support of their request, the parties advise the Court that:

(1) The current deadline in this case for discovery completion is August 4, 2016, and for filing dispositive motions (cross motions for summary judgment) is September 4, 2016.

(2) No previous extension of these deadlines has been requested by or granted to any of the parties.

(3) The requested extension of time is necessary because counsel for the parties are currently attempting to negotiate a mutually agreeable resolution of this action without incurring unnecessary litigation expenses for the parties though discovery and the filing of cross summary judgment motions as ordered by the Court if at all possible. However, given the complexity of the issues involved, additional time is necessary for counsel to complete their negotiations and exhaust all possibilities of an agreed settlement before having to complete

discovery and file lengthy dispositive motions if settlement negotiations should ultimately be unsuccessful.

(4) The undersigned counsel for the parties have conferred and have agreed to jointly request an extension of the discovery completion and dispositive motion deadlines in this case.

(5) The requested extensions will not impact any other deadline in this case.

Wherefore, the parties jointly request that the current discovery completion and dispositive motion deadlines in this case be extended for a period of thirty (30) days. A proposed order is submitted herewith for the Court's consideration.

Respectfully submitted,

s/ DAVID SIGALE*

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Respectfully submitted,

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Attorneys for Defendant.

****Signed by filing attorney with
permission.***

Certificate of Service

☒ I hereby certify that on (date) August 4, 2016, I electronically transmitted the

attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants: (insert names)

David G. Sigale
David G. Sigale, PC

Jason A. Reese
Meyer & Leonard, PLLC

☐ I hereby certify that on (date) _____, I served the attached document by
(service method) _____ on the
following, who are not registered participants of the ECF System: (insert names and addresses)

Richard W. Freeman, Jr.

s/ Attorney Name